

OFFICE OF THE SHERIFF	
Sheriff Terry L. Thompson	
General Order	

To: All WCSO Staff

From: Sheriff Thompson

CC:

Date: 22-May-2013

Re: Training and Travel Compensation *REVISED*

#13-02

Purpose:

The purpose of this Order is to determine and standardize compensation provided for FLSA “Exempt” and “Non Exempt” employees of the Weber County Sheriff’s Office for training or similar activities and associated travel time.

Rationale:

Training or similar activities and associated travel time fall into different categories or situations, such as: local training and training which requires travel away from home community; voluntary and involuntary training; and training for FLSA exempt or FLSA non-exempt employees. It is necessary to determine if training or similar activities and/or associated travel are considered to be compensable as “hours worked”.

Definitions:

For the purpose of this General Order the following definitions will apply:

FLSA - Federal Fair Labor Standards Act

FLSA-Exempt employee - An employee who serves in a position exempt from requirements and conditions of the FLSA. These are generally administrative positions

FLSA Non-Exempt employee - An employee subject to the requirements and conditions of FLSA

Local training - Training at a location within 50 miles of the Weber County Sheriff’s Office

Travel away from home community - Travel that keeps an employee away from home overnight

Involuntary training - As defined in FLSA rule 758.28, “Attendance is not voluntary, of course, if it is required by the employer. It is not voluntary in fact if the employee is given to understand or led to believe that his present working conditions or the continuance of his employment would be adversely affected by nonattendance.”

Voluntary training - Any training which falls outside the definition of involuntary training

Regular working hours - All employees who work in a sworn law enforcement position are subject to an eighty (80) hour two-week pay period; all non-sworn employees are subject to a forty (40) hour work week.

Executive Staff - Sheriff, Undersheriff, Chief Deputy, or Administrative Assistant

Order:

FLSA Exempt employees:

FLSA exempt employees are not compensated for training and/or travel time outside regular working hours.

FLSA Non-Exempt employees:

FLSA Non-Exempt employees who attend “voluntary” training or similar activities will not be compensated for attendance or associated travel which falls outside the employee’s “regular working hours.”

FLSA Non-Exempt employees who are required to attend “involuntary” training or similar activities will be compensated for the time of actual attendance to the training or similar activity, but will not be compensated for travel to and from the training or similar activities which falls outside the employees “regular working hours.”

All training which falls into the category of “involuntary” must be requested and approved by a member of the executive staff. All other training requested by an employee is considered “voluntary.”